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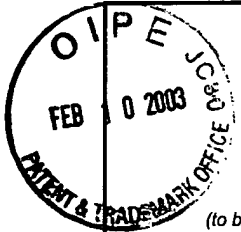


PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/642,609
Filing Date	August 17, 2000
First Named Inventor	KUMAGAI, YOSHINARI
Group Art Unit	1653
Examiner Name	MOHAMED, ABDEL A.
Attorney Docket Number	BEAR-004

Total Number of Pages in This Submission

### ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below):<br>1) Response to Restriction<br>Requirement (2 pgs.)<br>2) Return Postcard |
|--|---|---|

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	PAULA A. BORDEN, Reg. No. 42,344
Signature	
Date	February 3, 2003

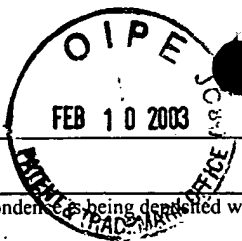
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**RESPONSE TO RESTRICTION  
REQUIREMENT**

Address to:  
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Washington, D.C. 20231

Attorney Docket  
(Confirmation No.)BEAR004  
6929

First Named Inventor

Y. Kumagai

Application Number

09/642,609

Filing Date

August 17, 2000

Group Art Unit

1653

Examiner Name

A.A. Mohamed

Title: *Methods and compositions for reducing serum phosphate levels*

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Sir:

This is in response to the Restriction Requirement dated January 9, 2003. The Restriction Requirement set forth a one-month time period for response, making a response due on or before February 9, 2003. Accordingly, this response is timely filed.

**I. REMARKS**

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-11, drawn to a peptidic compounds and composition thereof comprising one or more moieties that are phosphorylated in vitro or in vivo by physiologic enzymes and a method of reducing a phosphate level thereof;
- Group II: Claims 12-16, drawn to a method of treating hyper phosphatemia in an individual by administering the composition recited in claim 12;
- Group III: Claim 17, drawn to a method of increasing incorporation of phosphorus into bone in an individual by administering the composition recited in claim 17;
- Group IV: Claim 18, drawn to a method of increasing bone strength in an individual by administering the composition recited in claim 18; and
- Group V: Claims 19, drawn to a method of treating a bone disease in an individual by administering the composition recited in claim 19.

Applicants hereby elect to prosecute the claims of Group II (claims 12-16), with traverse. Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application.